

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEBORAH D. PETERSON et al.,

Plaintiffs,

-v-

ISLAMIC REPUBLIC OF IRAN et al.,

Defendants.
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: 13-cv-9195 (KBF)
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ORDER

KATHERINE B. FORREST, District Judge:

The Court has received defendants Clearstream Banking, S.A. and Banca UBAE, S.p.A.'s requests to strike certain allegations in the first amended complaint based on plaintiffs' alleged breaches of the settlement agreement in Peterson v. Islamic Republic of Iran et al., No. 10-cv-4518 (KBF) ("Peterson I").

Having reviewed these submissions, the Court now understands that defendants object not to private or confidential matters—as the Court had previously believed—but rather to plaintiffs' assertion of claims that they allegedly released in the Peterson I settlement agreement. Defendants' requests to "strike" those allegations are properly substantive arguments for dismissing claims, and defendants should assert those arguments as part of their Rule 12(b)(6) motions to dismiss. To the extent that defendants believe that plaintiffs' assertion of such claims is frivolous, they may make appropriate fee-shifting applications.

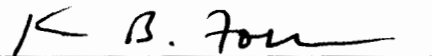
Additionally, the Court sees no reason why such claims cannot appear on the public docket.

The Court has also reviewed defendants' assertions that some information in the first amended complaint is subject to protective orders and their requests to redact the complaint accordingly. Most, if not all, of the requested redactions reflect information that has already been publicly revealed in prior decisions or in the parties' prior filings in Peterson I, and therefore most requested redactions do not relate to information any longer confidential. However, the Court agrees that plaintiff should (and are ordered to) redact any bank account numbers, any dollar figures, and any other truly confidential information. After making appropriate redactions, plaintiffs shall file the first amended complaint on the public docket.

In accordance with the Court's May 15, 2014 order, defendants shall answer, move against, or otherwise respond to the first amended complaint no later than **July 22, 2014**. (ECF No. 49.)

SO ORDERED.

Dated: New York, New York
July 9, 2014



KATHERINE B. FORREST
United States District Judge